

Remarks

Claims 93-95 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants traverse this rejection and request that it be withdrawn.

The Office action apparently interprets claim 93 to recite structure that cannot be used in combination with any other feature or with any other unitary layer. There are literally thousands of examples of systems comprising combinations of devices wherein both the combination, and each of the individual components of the system, are separately patentable. For example, in an automobile, a number of individual components are separately patentable, such as tires, engine, transmission, etc. The overall combination also is patentable.

That same logic applies to claim 93. The “product” recited in claim 93 is novel and nonobvious, and has separate utility relative to other cellulosic layers or aesthetic sheets that may be used in combination with the claimed product. The product recited in claim 93 therefore is separately patentable.

This product recited in claim 93 also is patentable in combination with other features, such as face layers comprising cellulosic fines. Claim 94 as currently pending therefore is not indefinite under § 112.

Nevertheless, to address the Examiner’s rejection of this claim, applicants have amended claim 94 to be in independent format. Claim 94 as amended adds no new matter, as all features of claim 94 result from the combination of features in pending claims 93 and 94. Furthermore, claim 94 is in condition for allowance as the recited features of claim 93 are novel and nonobvious in view of the prior art.

Applicants also have adopted the Examiner's suggestion to amend claim 93 and claim 94, as it now is presented in independent form, to recite "continuously graduating from the first surface and the second surface."

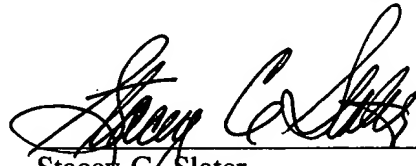
Applicants also note that of the 176 total claims in this application only 3 claims currently are being considered. Claim 93 is in condition for allowance, and applicants are now entitled to consideration of additional species, as noted in the Office action dated January 29, 2002, paper No. 10. Applicants therefore request consideration and allowance of these additional species in the present application.

The present application is in condition for allowance and such action is requested.

Respectfully submitted,

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